THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.16701 OF 2006

Dated 09-04-2007

Between:

M/s M.Venkata Subbaiah …Petitioner

And

Commercial Tax Officer and
Two others …Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.16701 OF 2006

O R D E R *(Per the Hon'ble Sri Justice Bilal Nazki):*

Heard learned counsel for the parties.

The grievance of the petitioner is that stay was refused by the Joint Commissioner-the third respondent, pending appeal before the Sales Tax Appellate Tribunal. This Court has already granted stay of recovery on 11-08-2006 and in this view of the matter, we feel that it will serve no purpose to keep this writ petition on board.

Therefore, we dispose of the writ petition with a direction to the Sales Tax Appellate Tribunal to dispose of the appeal filed by the petitioner, within a period of four weeks from the date it receives the copy of this order. Till the Tribunal decides the appeal, the stay granted by this Court, on 11-08-2006, shall remain operative. A copy of this order be sent to the Tribunal. No order as to costs.

(Bilal Nazki,J)

Dated 9th April, 2007

(Nooty Ramamohana Rao,J)

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Note: A copy of this order

be sent to the Sales Tax
Appellate Tribunal
forthwith